

TRI-TOWN COUNCIL MEETING - THURSDAY EVENING - FEBRUARY 6, 2014

Present:

From Barrington: Speakman, Weymouth, Coyne, DeWitt (arrived at 7:41 o'clock PM), and Strong

From Bristol: Herreshoff, Calouro, Stuart, and Sweeney

From Warren: Stanley, Frerichs, Tattrie, and DePasquale

Absent:

From Bristol: Parella

From Warren: Lial

The Town Councils of Barrington, Bristol, and Warren met in special session on Thursday evening, February 6, 2014 in the Burnside Memorial Building, 400 Hope Street, Bristol beginning at 7:05 o'clock PM. Presiding were President Speakman (Barrington), Vice-Chairman Herreshoff (Bristol), and President Stanley (Warren):

1. Bristol County Water Authority Enabling Legislation

Councilman Herreshoff reviewed a proposed amendment to the enabling legislation as provided by the Water Authority with notes in the margins as prepared by Water Authority Executive Director Pamela Marchand. He noted that there was a bond issue pending and also noted that the three Councils should likely support the project outlined in the enabling legislation amendment.

President Stanley asked to know if the legislation has been reviewed by the Town Solicitors.

Councilman Herreshoff suggested that the Councils might leave this meeting with an idea to have the solicitors review the documents.

Councilman Stuart noted that the proposed bill allows the State to provide a reprieve regarding the existing reservoirs.

John Jannitto, a member of the Water Authority, reported that the Governor proposes to provide leeway for the East Providence connection while maintaining the existing BCWA reservoirs.

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Councilman Herreshoff stated that perhaps this can be accomplished in several steps.

Councilwoman Coyne asked to know if East Providence is aware of these measures.

Councilwoman Strong asked to know if there is a signed agreement with East Providence with Mr. Jannitto responding that there is no signed agreement.

Councilwoman Strong stated that there is a need to have some type of agreement with East Providence.

The Councils, by consensus, agreed that the BCWA should be urged to obtain a memorandum of understanding with the City of East Providence and also the Pawtucket Water Supply Board.

President Speakman asked to know if obtaining this memorandum could delay the pending legislation.

Councilman Stuart asked to know if Ms. Marchand's suggested amendments would remove the requirement to maintain the BCWA reservoirs.

Mr. Jannitto stated that he does not believe this to be the case.

Councilman Calouro noted that Ms. Marchand's notes appear to suggest that this requirement will be in place until the new connection through East Providence is completed.

Frank J. Sylvia, a member of the Water Authority, indicated that the Governor's bill includes the Pawtucket connection and also mandates the maintenance of the existing BCWA reservoirs. He suggested that the Councils and Water Authority should contact legislators in order to have the maintenance provisions removed. Mr. Sylvia also noted that there are \$6.9 million in State funds.

Councilwoman Strong noted that the \$6.9 million is for upgrades to the existing reservoirs. She also noted that these funds must be re-appropriated if they are to be re-purposed.

Mr. Sylvia explained that upgrade of the Warren treatment plant is estimated at \$35 million.

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Mr. Jannitto stated that the Authority would like to use the Shad reservoir funds toward the Pawtucket connection.

Councilman Herreshoff asked to know if the documents provided address that possibility.

Mr. Sylvia explained that the language would have to be changed.

President Stanley asked to know who will be responsible to maintain the Child Street dam with Mr. Jannitto stating that he does not have an answer to President Stanley's question.

Councilman DePasquale stated that he was uncomfortable with the information provided and that he would prefer to have a detailed presentation. He added that there remain many unanswered questions.

Mr. Sylvia suggested that the General Assembly members should be notified that the Towns would like to be relieved of obligation regarding the Massachusetts reservoirs.

Councilman DePasquale stated that it has been made clear that the towns expect to have East Providence "on board" and that it may be advisable to have a "face to face" discussion with all of the various parties since the information provided by Water Authority members does not appear clear in the documents provided.

Councilman Herreshoff stated that there appears to be consensus between the parties present that it is desirable to have the connection to the Pawtucket water supply.

Councilwoman Strong noted that there has not been an official vote on that position.

Councilman Herreshoff observed that it was apparent that the group was not going to approve endorsing the proposed legislation at this meeting.

Councilman Herreshoff suggested that the group approve the communication requesting the memorandum of understanding between BCWA, the City of East Providence, and the Pawtucket Water Supply Board. All those present indicated their approval of sending this letter and it was agreed that this would be forwarded to the Water Authority by the Clerk tomorrow or shortly thereafter.

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A discussion ensued regarding communication with the Water Authority with President Stanley stating that he had not received answers from Ms. Marchand.

Councilwoman Tattrie agreed that she would like to hear more from the Water Authority.

President Stanley asked to know if there are plans for Water Authority lands if the reservoirs are abandoned.

Mr. Jannitto stated that the Water Authority may choose not to abandon the Warren properties and that the main concerns are relative to the properties in Massachusetts.

Councilwoman Tattrie noted that there is considerable land in the watershed.

Mr. Sylvia stated that the property question must be answered if the Authority is able to tie into the Pawtucket water supply.

Councilman DePasquale stated that he would like the agreement to be complete to include the future plans for the lands and reservoirs.

Councilwoman Strong agreed with Councilman DePasquale and stated that she believes that Warren should have a memorandum of understanding regarding the future of the BCWA property in Warren.

(Councilman DeWitt arrived at this point in the meeting, 7:41 o'clock PM)

Mr. Sylvia noted that the current cost to upgrade the treatment plant is \$35 million and that this amount changes every month. He added his opinion that the three towns control the BCWA and that a redundant water supply is needed. He also added that there should be a decision made about Pawtucket or otherwise.

President Stanley stated that he did not have a "firm grasp" on the proposed legislation.

Mr. Sylvia expressed concern that there is no redundant water source.

Councilman Frerichs stated that it did not seem practical to spend \$50 million on the BCWA water supply.

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Councilman Herreshoff suggested that the letter addressed to Ms. Marchand should also address the issue of the Warren properties.

Councilwoman Tattrie suggested that the Town Solicitors should become involved in this discussion.

Councilman Calouro asked to know the time line for the legislation and expressed concern that the Councils should be aware of any deadline for action. He added that it appears to him that everyone present wishes to secure a redundant water supply and that questions remain as how to accomplish it.

Councilman Herreshoff suggested that Ms. Marchand should be asked about the timing of the legislation.

A discussion ensued regarding the source of the legislation with the Clerk explaining that the information was derived from an e-mail sent by Ms. Marchand.

Mr. Jannitto stated that he believes that Governor Chafee originated the legislation.

Councilman Calouro stated that the Councils must communicate what they wish to happen.

Responding to a question posed by Councilman Herreshoff, Councilwoman Weymouth stated that she found a gap in the information until now and that the group must take the information and form a consensus.

Councilwoman Tattrie stated that she believes that the gap occurred within the information provided by the Governor's Office.

Councilwoman Strong stated that she asked Mr. Klepper and the BCWA engineering people for a budget and that she has not yet seen this budget.

Mr. Jannitto noted that the budget was discussed earlier with the Bristol Town Council and that this budget is \$25 million.

Councilman Calouro stated that the discussion at the meeting with the Bristol Town Council was vague and that it was important to have this particular meeting this evening and have this discussion.

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Councilman Herreshoff suggested that the BCWA should be asked to provide a budget.

Councilwoman Weymouth asked to know the substance of the BCWA presentation before the Bristol Town Council with Mr. Sylvia responding that the meeting was about the Poppasquash water main and that the Bristol Council added four items to the agenda including the Pawtucket connection.

President Stanley stated that Ms. Marchand might be asked to attend a future Council meeting of Barrington and Warren to provide similar updates.

Councilwoman Coyne suggested that representatives of the Water Resources Board might be asked to attend also.

Councilman DePasquale expressed concern that the information seems to lack cohesiveness.

Councilman Herreshoff suggested that Ms. Marchand and the project engineers should attend individual Council meetings.

Councilman DePasquale observed that the absence of the Town Solicitors at this meeting was problematic. He noted that the Councils need guidance when considering legislation since the use of a single word can be critical to the document. He added that he did not like the paragraphs about responsibility for infrastructure and that he would like to know when this responsibility will cease.

Mr. Sylvia reported that Ms. Marchand has been proactive in providing information to legislators.

Mr. DePasquale suggested that the responsibility should be clearly defined in the legislation.

Mr. Jannitto noted that the State may not agree to everything that the towns would like.

Councilwoman Weymouth noted that the Governor may not accept the edits as proposed by Ms. Marchand.

Councilman Herreshoff suggested that the towns should not be confrontational. He added that it may be preferable to pose questions and build consensus.

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A discussion ensued regarding the language contained in the legislation.

President Stanley stated that he would like to have answers regarding the BCWA property and which entity will own the dam. He also has questions about the water plant complex and also the payments received in lieu of taxes (PILOT).

Mr. Jannitto stated that he did not believe that the Water Authority would dispose of its property in Warren.

Councilwoman Tattrie asked to know why property would be needed if the Water Authority became solely a distributor of water and not a producer.

Councilwoman Strong questioned the need for the Water Authority when the source of the water was Providence and/or Pawtucket. She suggested that either of those entities might own the pipes instead of the Authority.

Joel Hammond, a new member of the Water Authority, stated that he has problems with the legislation since it has the maintenance provisions without a "sunset clause."

Councilman Herreshoff stated that Ms. Marchand informs him that the Authority eventually wishes to divest its interest in the Massachusetts reservoirs.

Councilwoman Tattrie asked what might happen if the Anawan Dam fails in the interim.

Councilman Sweeney stated that he wished to know what might happen if the towns choose not to go forward. He stated that he would like to see an analysis of the pros and cons.

A discussion ensued regarding whether or not the proposed legislation will be well received within the General Assembly with Councilwoman Tattrie observing that the voting block of East Providence and Pawtucket would help gain passage if the communities are in favor of the agreement to tie into Pawtucket water.

A further discussion ensued regarding the legislature with President Speakman suggesting that the legislature must be lobbied on this matter. She further suggested that the various members of the General Assembly should be contacted as soon as possible.

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Mr. Jannitto noted that the situation poses a unique problem since the long-established reservoirs are out of state.

Mr. Sylvia reminded the Council members that the proposed bond issue is for \$75 million and that many communities stand to benefit from its passage.

Councilman Calouro suggested that the group may wish to meet again on this issue in one month.

Councilwoman Weymouth suggested that the Councils should take action to move the proposal forward.

Councilman Stuart suggested that another meeting might be scheduled with Councilman Herreshoff responding that it may be more advisable to have the BCWA have individual meetings with the three Councils.

President Speakman stated that it would be useful to know the timeline of the legislation.

Councilman DePasquale suggested that the Councils should be prepared to have a special meeting to consider the legislation.

President Speakman agreed to contact Ursillo, Teitz, and Ritch to find out the legislative timeline.

Councilman Herreshoff suggested that all members "as homework" should review all of the legislative documents provided.

Councilwoman Weymouth asked if the BCWA Board was a "lobbyist" for the Water Authority.

Councilman DePasquale suggested that Council members should contact legislators.

President Speakman noted the last paragraph of the letter provided by Ms. Marchand.

Councilman DePasquale suggested that the local legislative contingent should be asked to provide a "unified front."

President Speakman suggested that Council members should be prepared to testify at the General Assembly in favor of the bill.

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2. Adjournment

There being no further business, upon a motion by Councilwoman Tattrie, seconded by Councilman DePasquale and voted unanimously, President Stanley declared this meeting of the Warren Town Council to be adjourned at 8:30 o'clock PM.

There being no further business, upon a motion by Councilwoman Strong, seconded by Councilwoman Weymouth and voted unanimously, President Speakman declared this meeting of the Barrington Town Council to be adjourned at 8:30 o'clock PM.

There being no further business, upon a motion by Councilman Calouro, seconded by Councilman Stuart and voted unanimously, Vice-chairman Herreshoff declared this meeting to be adjourned at 8:30 o'clock PM.

Louis P. Cirillo, CMC

Bristol Council Clerk and Clerk Pro-Tempore of the Barrington and Warren Councils